

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 107,
2 Page 1, In the Title, Lines 5-6, by deleting the words "professions regulated under the division of";
3 and
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5 Further amend said bill, Page 18, Section 195.070, Line 27, by inserting immediately after all of said
6 section and line the following:
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8 "197.600. 1. For purposes of this section, the term "pain management clinic" shall mean a
9 privately owned clinic, facility, or office in which health care providers provide chronic
10 nonmalignant pain treatment through pharmacotherapy to a majority of its patients for ninety days or
11 more in a twelve-month period or a privately owned clinic, facility, or office which advertises in any
12 medium for chronic pain management services through pharmacotherapy. Chronic nonmalignant
13 pain treatment through pharmacotherapy shall not include, and shall not be construed to include,
14 surgical or obstetrical anesthesia services, postoperative pain control, or interventional pain
15 management procedures and techniques. For purposes of determining if a clinic, facility, or office
16 qualifies as a pain management clinic under this section, the entire clinic, facility, or office caseload
17 of patients who received health care services from all physicians, advanced practice registered
18 nurses, physician assistants, and assistant physicians who serve in the clinic, facility, or office shall
19 be counted.

20 2. No owner or employee of a pain management clinic shall have previously been denied or
21 had a restricted license to prescribe, dispense, administer, supply, or sell a controlled substance or
22 been subject to disciplinary action by any licensing entity for conduct that was a result of
23 inappropriately prescribing, dispensing, administering, supplying, or selling a controlled substance.

24 3. No pain management clinic as defined in this section shall operate in the state unless it has
25 been issued a pain management clinic certificate by the department of health and senior services after
26 a determination that the clinic meets the requirements of this section and any other requirements the
27 department may require by regulation. Any pain management clinic operating on the effective date
28 of this section shall have one hundred and eighty days to obtain a certificate from the department
29 following the promulgation of rules and regulations.

30 4. The department of health and senior services shall promulgate rules and regulations to
31 implement the provisions of this section pertaining to the operation and licensure of pain
32 management clinics. Such rules and regulations shall include, but not be limited to:

- 33 (1) The certification process and any required fees;
34 (2) Required hours of operation;
35 (3) Required licenses of staff and staffing levels;
36 (4) Record keeping and patient chart requirements;

Action Taken _____ Date _____

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1 (5) A requirement to participate in any prescription drug monitoring program in Missouri.

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3 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
4 authority delegated in this section shall become effective only if it complies with and is subject to all
5 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
6 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to
7 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
8 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
9 August 28, 2015, shall be invalid and void."; and

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11 Further amend said bill, Page 68, Section 621.280, Line 18, by inserting immediately after all of said
12 section and line the following:

13
14 " Section 1. Certified music therapists who have completed the education and clinical
15 training requirements established by the American Music Therapy Association and have passed the
16 Certification Board for Music Therapists certification examination shall be deemed as licensed by
17 the department of elementary and secondary education for the purposes of providing services to the
18 first steps program under sections 160.900 to 160.925."; and

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20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.